

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

Case No. 20-cr-137-wmc

MICHAEL EISENGA,

Defendants.

GOVERNMENT'S MOTION FOR ORDER OF FORFEITURE - MONEY JUDGMENT

The United States of America, by its attorney Scott C. Blader, United States Attorney for the Western District of Wisconsin, by Meredith P. Duchemin, Assistant United States Attorney, respectfully submits its Motion for an Order of Forfeiture-Money Judgment. This motion is made pursuant to Rule 32.2(b) of the Federal Rules of Criminal Procedure. The government makes this request based upon the following:

1. On October 22, 2020, a federal grand jury sitting in Madison, Wisconsin returned an indictment against Michael Eisenga. The one-count indictment charged a violation of 18 U.S.C. § 1344(2). The indictment also contained a forfeiture allegation for the forfeiture of any and all property constituting or derived from proceeds obtained directly or indirectly as a result of the said violation, including but not limited to a money judgment in a sum of money equal to \$6.9 million in United States currency,

representing the amount of proceeds obtained as a result of scheme to defraud. ECF. No. 2.

2. On March 25, 2021, the defendant pleaded guilty to the one-count indictment. In the plea agreement, the defendant agreed that he obtained proceeds of \$6,975,000.00 from the violations of 18 U.S.C. § 1344(2), and that such proceeds were forfeitable. ECF. Nos. 17 and 22.

3. The United States has not, as of this date, identified specific assets that were derived from the offense of which the defendant has been convicted. Nor has the United States identified any property of the defendants that could be forfeited as a substitute asset in accordance with 21 U.S.C. § 853(p).

4. Accordingly, the United States seeks the entry of an Order of Forfeiture consisting of a personal money judgment against defendant Michael Eisenga in the revised amount of \$4,027,035.51, which is equivalent to the current amount of restitution.

5. The entry of an Order of Forfeiture in the form of a personal money judgment is specifically authorized by Rule 32.2(b)(1) and (c)(1) of the Federal Rules of Criminal Procedure.

6. Once the Order of Forfeiture is entered, the Government may move at any time, pursuant to Rule 32.2(e)(1)(B), to amend the Order to forfeit specific property of the defendant, having a value up to the amount of the money judgment, as substitute assets.

WHEREFORE, by virtue of the plea agreement for which defendant Michael Eisenga has been convicted, a money judgment should be entered against the defendant. The United States respectfully requests that this Court enter an order of forfeiture in the form of a money judgment in the amount of \$4,027,035.51 against defendant Michael Eisenga.

Dated this 23rd day of June 2021.

Respectfully submitted,

SCOTT C. BLADER
United States Attorney

By: /s/ MEREDITH P. DUCHEMIN
MEREDITH P. DUCHEMIN
Assistant United States Attorney